



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,334	10/16/2001	Hiroyuki Hamasaki	NITT.0042	1651

7590

08/13/2003

Stanley P. Fisher  
Reed Smith Hazel & Thomas LLP  
Suite 1400  
3110 Fairview Park Drive  
Falls Church, VA 22042-4503

EXAMINER

SENF, BEHROOZ M

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/977,334

Applicant(s)

HAMASAKI ET AL.

Examiner

Behrooz Senfi

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 16 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes (US 6,122,315).

Regarding claim 1, Barnes '315 teaches a digital decompression (decoding) system that decompressed digital data to restore original data (i.e. abstract), and plurality of memory areas in which the decompressed data is stored (i.e. fig. 6), and flags, provided so as to correspond one for one with the plural memory areas, which indicate whether stored data is all predetermined logical values, and when data to be written to the memory areas is all predetermined logical values, the corresponding flags are set to a first state. Barnes '315 (i.e. fig. 9c, col. 10, lines 30+, col. 11, lines 1+) teaches plural memory areas and flag and the four state output. Barnes '315 fails to explicitly teach predetermined logical value. However Barnes '315 teaches the logical values and plurality of memory areas and status flag, and four state of the logical values as discussed above, which makes it obvious that the four state of logical values is a preset or predetermined logical values.

Art Unit: 2613

Regarding claims 2, and 6, Barnes '315 teaches the claimed limitation "wherein the predetermined logical value is a logical "0", and "outputs data of logical "0", reads on Barnes '315 (i.e. fig. 9c, 414).

Regarding claims 3 - 5, the claimed limitation "arithmetic circuit for performing computations .....", reads on Barnes '315 (i.e. fig. 9a - 9c) logical circuit including the AND gate and OR gate for adding and multiplying the data items.

Regarding claims 7, and 8, Barnes '315 teaches the claimed limitation "digital data to be decompressed is an audio data, " reads on (i.e. fog. 4).

Regarding claims 9 - 11, the claimed limitations are substantially similar to claims 1 - 4, therefore the grounds for rejecting claims 1 - 4, also apply here. As for additional limitation " predetermined method and proper format" reads on (i.e. abstract, MPEG decoder), and as for the additional limitation "performing counting of the number of valid data, in claim 11) reads on (i.e. col. 11, lines 1+) thus teaches the counter registers.

#### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Application/Control Number: 09/977,334

Page 4

Art Unit: 2613

Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. S.

8/11/2003

  
GIMS PHILIPPE  
PRIMARY EXAMINER